

Calendar No. 711

106TH CONGRESS
2^D SESSION

H. R. 2773

IN THE SENATE OF THE UNITED STATES

JULY 25, 2000

Received; read twice and placed on the calendar

AN ACT

To amend the Wild and Scenic Rivers Act to designate the Wekiva River and its tributaries of Wekiwa Springs Run, Rock Springs Run, and Black Water Creek in the State of Florida as components of the national wild and scenic rivers system.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Wekiva Wild and Sce-
5 nic River Act of 2000”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds the following:

8 (1) Public Law 104–311 (110 Stat. 3818)
9 amended section 5 of the Wild and Scenic Rivers
10 Act (16 U.S.C. 1276) to require the study of the
11 Wekiva River and its tributaries of Rock Springs
12 Run and Seminole Creek for potential inclusion in
13 the national wild and scenic rivers system.

14 (2) The study determined that the Wekiva
15 River, Wekiwa Springs Run, Rock Springs Run, and
16 Black Water Creek are eligible for inclusion in the
17 national wild and scenic rivers system.

18 (3) The State of Florida has demonstrated its
19 commitment to protecting these rivers and streams
20 by the enactment of the Wekiva River Protection
21 Act (Florida Statute chapter 369), by the establish-
22 ment of a riparian wildlife protection zone and water
23 quality protection zone by the St. Johns River Water
24 Management District, and by the acquisition of

1 lands adjacent to these rivers and streams for con-
2 servation purposes.

3 (4) The Florida counties of Lake, Seminole,
4 and Orange have demonstrated their commitment to
5 protect these rivers and streams in their comprehen-
6 sive land use plans and land development regula-
7 tions.

8 (5) The desire for designation of these rivers
9 and streams as components of the national wild and
10 scenic rivers system has been demonstrated through
11 strong public support, State and local agency sup-
12 port, and the endorsement of designation by the
13 Wekiva River Basin Ecosystem Working Group,
14 which represents a broad cross section of State and
15 local agencies, landowners, environmentalists, non-
16 profit organizations, and recreational users.

17 (6) The entire lengths of the Wekiva River,
18 Rock Springs Run, and Black Water Creek are held
19 in public ownership or conservation easements or are
20 defined as waters of the State of Florida.

1 **SEC. 3. DESIGNATION OF WEKIVA RIVER AND TRIBU-**
2 **TARIES, FLORIDA, AS COMPONENTS OF NA-**
3 **TIONAL WILD AND SCENIC RIVERS SYSTEM.**

4 Section 3(a) of the Wild and Scenic Rivers Act (16
5 U.S.C. 1274(a)) is amended by adding at the end the fol-
6 lowing new paragraph:

7 “(161) WEKIVA RIVER, WEKIWA SPRINGS RUN,
8 ROCK SPRINGS RUN, AND BLACK WATER CREEK, FLOR-
9 IDA.—The 41.6-mile segments referred to in this para-
10 graph, to be administered by the Secretary of the Interior:

11 “(A) WEKIVA RIVER AND WEKIWA SPRINGS
12 RUN.—The 14.9 miles of the Wekiva River, along
13 Wekiwa Springs Run from its confluence with the
14 St. Johns River to Wekiwa Springs, to be adminis-
15 tered in the following classifications:

16 “(i) From the confluence with the St.
17 Johns River to the southern boundary of the
18 Lower Wekiva River State Preserve, approxi-
19 mately 4.4 miles, as a wild river.

20 “(ii) From the southern boundary of the
21 Lower Wekiva River State Preserve to the
22 northern boundary of Rock Springs State Re-
23 serve at the Wekiva River, approximately 3.4
24 miles, as a recreational river.

25 “(iii) From the northern boundary of Rock
26 Springs State Reserve at the Wekiva River to

1 the southern boundary of Rock Springs State
2 Reserve at the Wekiva River, approximately 5.9
3 miles, as a wild river.

4 “(iv) From the southern boundary of Rock
5 Springs State Reserve at the Wekiva River up-
6 stream along Wekiwa Springs Run to Wekiwa
7 Springs, approximately 1.2 miles, as a rec-
8 reational river.

9 “(B) ROCK SPRINGS RUN.—The 8.8 miles from
10 the confluence of Rock Springs Run with the
11 Wekiwa Springs Run forming the Wekiva River to
12 its headwaters at Rock Springs, to be administered
13 in the following classifications:

14 “(i) From the confluence with Wekiwa
15 Springs Run to the western boundary of Rock
16 Springs Run State Reserve at Rock Springs
17 Run, approximately 6.9 miles, as a wild river.

18 “(ii) From the western boundary of Rock
19 Springs Run State Reserve at Rock Springs
20 Run to Rock Springs, approximately 1.9 miles,
21 as a recreational river.

22 “(C) BLACK WATER CREEK.—The 17.9 miles
23 from the confluence of Black Water Creek with the
24 Wekiva River to outflow from Lake Norris, to be ad-
25 ministered in the following classifications:

1 “(i) From the confluence with the Wekiva
2 River to approximately .25 mile downstream of
3 the Seminole State Forest road crossing, ap-
4 proximately 4.1 miles, as a wild river.

5 “(ii) From approximately .25 mile down-
6 stream of the Seminole State Forest road to ap-
7 proximately .25 mile upstream of the Seminole
8 State Forest road crossing, approximately .5
9 mile, as a scenic river.

10 “(iii) From approximately .25 mile up-
11 stream of the Seminole State Forest road cross-
12 ing to approximately .25 mile downstream of
13 the old railroad grade crossing (approximately
14 River Mile 9), approximately 4.4 miles, as a
15 wild river.

16 “(iv) From approximately .25 mile down-
17 stream of the old railroad grade crossing (ap-
18 proximately River Mile 9), upstream to the
19 boundary of Seminole State Forest (approxi-
20 mately River Mile 10.6), approximately 1.6
21 miles, as a scenic river.

22 “(v) From the boundary of Seminole State
23 Forest (approximately River Mile 10.6) to ap-
24 proximately .25 mile downstream of the State

1 Road 44 crossing, approximately .9 mile, as a
2 wild river.

3 “(vi) From approximately .25 mile down-
4 stream of State Road 44 to approximately .25
5 mile upstream of the State Road 44A crossing,
6 approximately .6 mile, as a recreational river.

7 “(vii) From approximately .25 mile up-
8 stream of the State Road 44A crossing to ap-
9 proximately .25 mile downstream of the Lake
10 Norris Road crossing, approximately 4.7 miles,
11 as a wild river.

12 “(viii) From approximately .25 mile down-
13 stream of the Lake Norris Road crossing to the
14 outflow from Lake Norris, approximately 1.1
15 miles, as a recreational river.”.

16 **SEC. 4. SPECIAL REQUIREMENTS APPLICABLE TO WEKIVA**
17 **RIVER AND TRIBUTARIES.**

18 (a) DEFINITIONS.—In this section and section 5:

19 (1) WEKIVA RIVER SYSTEM.—The term
20 “Wekiva River system” means the segments of the
21 Wekiva River, Wekiwa Springs Run, Rock Springs
22 Run, and Black Water Creek in the State of Florida
23 designated as components of the national wild and
24 scenic rivers system by paragraph (161) of section

1 3(a) of the Wild and Scenic Rivers Act (16 U.S.C.
2 1274(a)), as added by this Act.

3 (2) COMMITTEE.—The term “Committee”
4 means the Wekiva River System Advisory Manage-
5 ment Committee established pursuant to section 5.

6 (3) COMPREHENSIVE MANAGEMENT PLAN.—
7 The terms “comprehensive management plan” and
8 “plan” mean the comprehensive management plan to
9 be developed pursuant to section 3(d) of the Wild
10 and Scenic Rivers Act (16 U.S.C. 1274(d)).

11 (4) SECRETARY.—The term “Secretary” means
12 the Secretary of the Interior.

13 (b) COOPERATIVE AGREEMENTS.—

14 (1) USE AUTHORIZED.—In order to provide for
15 the long-term protection, preservation, and enhance-
16 ment of the Wekiva River system, the Secretary
17 shall offer to enter into cooperative agreements pur-
18 suant to sections 10(e) and 11(b)(1) of the Wild and
19 Scenic Rivers Act (16 U.S.C. 1281(e), 1282(b)(1))
20 with the State of Florida, appropriate local political
21 jurisdictions of the State, namely the counties of
22 Lake, Orange, and Seminole, and appropriate local
23 planning and environmental organizations.

24 (2) EFFECT OF AGREEMENT.—Administration
25 by the Secretary of the Wekiva River system

1 through the use of cooperative agreements shall not
2 constitute National Park Service administration of
3 the Wekiva River system for purposes of section
4 10(c) of such Act (10 U.S.C. 1281(c)) and shall not
5 cause the Wekiva River system to be considered as
6 being a unit of the National Park System. Publicly
7 owned lands within the boundaries of the Wekiva
8 River system shall continue to be managed by the
9 agency having jurisdiction over the lands, in accord-
10 ance with the statutory authority and mission of the
11 agency.

12 (c) COMPLIANCE REVIEW.—After completion of the
13 comprehensive management plan, the Secretary shall bien-
14 nially review compliance with the plan and shall promptly
15 report to the Committee on Resources of the House of
16 Representatives and the Committee on Energy and Nat-
17 ural Resources of the Senate any deviation from the plan
18 that could result in any diminution of the values for which
19 the Wekiva River system was designated as a component
20 of the national wild and scenic rivers system.

21 (d) TECHNICAL ASSISTANCE AND OTHER SUP-
22 PORT.—The Secretary may provide technical assistance,
23 staff support, and funding to assist in the development
24 and implementation of the comprehensive management
25 plan.

1 (e) LIMITATION ON FEDERAL SUPPORT.—Nothing in
2 this section shall be construed to authorize funding for
3 land acquisition, facility development, or operations.

4 **SEC. 5. WEKIVA RIVER SYSTEM ADVISORY MANAGEMENT**
5 **COMMITTEE.**

6 (a) ESTABLISHMENT.—The Secretary shall establish
7 an advisory committee, to be known as the Wekiva River
8 System Advisory Management Committee, to assist in the
9 development of the comprehensive management plan for
10 the Wekiva River system.

11 (b) MEMBERSHIP.—The Committee shall be com-
12 posed of a representative of each of the following agencies
13 and organizations:

14 (1) The Department of the Interior, rep-
15 resented by the Director of the National Park Serv-
16 ice or the Director's designee.

17 (2) The East Central Florida Regional Plan-
18 ning Council.

19 (3) The Florida Department of Environmental
20 Protection, Division of Recreation and Parks.

21 (4) The Florida Department of Environmental
22 Protection, Wekiva River Aquatic Preserve.

23 (5) The Florida Department of Agriculture and
24 Consumer Services, Division of Forestry, Seminole
25 State Forest.

1 (6) The Florida Audubon Society.

2 (7) The nonprofit organization known as the
3 Friends of the Wekiva.

4 (8) The Lake County Water Authority.

5 (9) The Lake County Planning Department.

6 (10) The Orange County Parks and Recreation
7 Department, Kelly Park.

8 (11) The Seminole County Planning Depart-
9 ment.

10 (12) The St. Johns River Water Management
11 District.

12 (13) The Florida Fish and Wildlife Conserva-
13 tion Commission.

14 (14) The City of Altamonte Springs.

15 (15) The City of Longwood.

16 (16) The City of Apopka.

17 (17) The Florida Farm Bureau Federation.

18 (18) The Florida Forestry Association.

19 (c) ADDITIONAL MEMBERS.—Other interested par-
20 ties may be added to the Committee by request to the Sec-
21 retary and unanimous consent of the existing members.

22 (d) APPOINTMENT.—Representatives and alternates
23 to the Committee shall be appointed as follows:

24 (1) State agency representatives, by the head of
25 the agency.

1 (2) County representatives, by the Boards of
2 County Commissioners.

3 (3) Water management district, by the Gov-
4 erning Board.

5 (4) Department of the Interior representative,
6 by the Southeast Regional Director, National Park
7 Service.

8 (5) East Central Florida Regional Planning
9 Council, by Governing Board.

10 (6) Other organizations, by the Southeast Re-
11 gional Director, National Park Service.

12 (e) ROLE OF COMMITTEE.—The Committee shall as-
13 sist in the development of the comprehensive management
14 plan for the Wekiva River system and provide advice to
15 the Secretary in carrying out the management responsibil-
16 ities of the Secretary under this Act. The Committee shall
17 have an advisory role only, it will not have regulatory or
18 land acquisition authority.

19 (f) VOTING AND COMMITTEE PROCEDURES.—Each
20 member agency, agency division, or organization referred
21 to in subsection (b) shall have one vote and provide one
22 member and one alternate. Committee decisions and ac-
23 tions will be made with consent of three-fourths of all vot-
24 ing members. Additional necessary Committee procedures

1 shall be developed as part of the comprehensive manage-
2 ment plan.

3 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

4 There are authorized to be appropriated such sums
5 as may be necessary to carry out this Act and paragraph
6 (161) of section 3(a) of the Wild and Scenic Rivers Act
7 (16 U.S.C. 1274(a)), as added by this Act.

Passed the House of Representatives July 24, 2000.

Attest:

JEFF TRANDAHL,

Clerk.

Calendar No. 711

106TH CONGRESS
2D SESSION

H. R. 2773

A BILL

To amend the Wild and Scenic Rivers Act to designate the Wekiva River and its tributaries of Wekiwa Springs Run, Rock Springs Run, and Black Water Creek in the State of Florida as components of the national wild and scenic rivers system.

JULY 25, 2000

Received; read twice and placed on the calendar